

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) John T. Olszajt :  
(Name of Plaintiff) (Inmate Number) :  
13701 North Washington St. Scranton Pa. 18503 :  
(Address) :

(2) \_\_\_\_\_ :  
(Name of Plaintiff) (Inmate Number) :  
\_\_\_\_\_  
(Address) :

(Each named party must be numbered,  
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) DR. MALIK (psychologist) :  
(2) ALLIED Services :  
(3) Tim Betti (et al) :  
(Names of Defendants) :

(Each named party must be numbered,  
and all names must be printed or typed)

FILED  
SCRANTON

JAN 03 2020

PER [Signature]  
DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS  
\_\_\_\_\_ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

D/W/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**II. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? I have filed numerous Sick Call slips  
Spoke to All nursing staff filed grievance
  2. What was the result? As of 12-18-19 I still have not been seen  
by Dr. Malik. Grievance was denied due to wrong form
- D. If your answer to "B" is No, explain why not: \_\_\_\_\_

**III. DEFENDANTS**

- (1) Name of first defendant: Dr. Malik  
Employed as Psychologist at Lackawanna County Prison  
Mailing address: 13701 North Washington St. Scranton, Pa 18503
- (2) Name of second defendant: Adrian Snider  
Employed as Medical Department at Lackawanna County Prison  
Mailing address: Same as Above
- (3) Name of third defendant: Tim Betti  
Employed as Warden at Lackawanna County Prison  
Mailing address: Same as above
- (List any additional defendants, their employment, and addresses on extra sheets if necessary)

**IV. STATEMENT OF CLAIM**

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. I Was on psychiatric Medication upon my Arrival at the Jail 11-13-2019  
I Was placed in R.H.U (11-19-2019) for an investigation During  
my R.H.U Status I was placed on a medication



I was previously on # 07-2018 - 12-10-18 [a nurse then took me off my psych meds.]

2. I have filed numerous Requests to the Doctor about being taken off of the Medications and the Medical Negligence the Psychiatric staff has given to me by delaying treatment The Severe Emotional Distress and Mental Anguish it has caused me is unjustifiable and Unconstitutional
3. Warden Tim Batti is mentioned due to the fact that there is an ongoing Grievance form while I was on T-block for which my Grievance was solely denied for being on the incorrect form. I am currently on D-block which also does not have proper form The Staff here denying me Access To the Courts is per se

## V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like an Injunction on behalf of the psych dept. here due to it's total lack of medical concern to the Mental Health of my own Person but of all other patients here at Lockawanna County a ~~thorough~~ investigation is needed to preserve one's Rights
2. I would like Monetary Damages in excess of \$500,000.00 due to the Complete disregard of my mental Health and the Severe Emotional distress it has caused my family and I. Asking for compensatory & punitive damages for All parties professional Capacity & personal Capacity
3. A Injunction and Investigation to be made on the Grievance procedure and in so denying me Access to the Courts and medical Treatment here by causing the delay in my Treatment Which is Prescribed by a family physician (Dr. Paul Witt) East Cury St Plain, Pa 17065 And ~~that~~ Punitive damages 3 of ~~that~~ \$500,000.00



## Statement of Claim

Due to the totality of all the conditions in said complaint they add up to be unconstitutional under the 8<sup>th</sup> Amendment, Cruel and Unusual Punishment Doctrine.

The Plaintiff also reacts to the fact that he is a Pre-Trial Detainee and afforded protection under the 8<sup>th</sup> Amendment.

Plaintiff further places Constitutional complaints under 1<sup>st</sup> Amendment, 5<sup>th</sup> Amendment, 6<sup>th</sup> Amendment and 14<sup>th</sup> Amendment.

I will show the Denial to Access the courts in the following:

- A.) The Prison library fails to provide any type of legal aid to navigate through my multitude of legal issues being in both civil and criminal courts denying the meaningful access to the courts.
- B.) The Prison officials also fail to possess any form of law books in the inadequate excuse of a



LEGAL LAW LIBRARY. THE DENIAL OF ANY FORM OF LAW LITERATURE VIOLATES FOR A MULTITUDE OF REASONS.

FIRST, BEING THERE IS NO INDEX I CAN SEARCH THROUGH TO HELP NAVIGATE THE COMPLEX RESEARCH ROOTS THAT MAKE UP THE LEGAL SYSTEM. SECOND, BY NOT HAVING A SYSTEM THAT INCORPORATES BOTH THE COMPUTER AND BOOK REFERENCES. THIS SEVERELY INHIBITS MY ABILITY TO PROPERLY AND TIMELY FILE AND FIND THE CORRECT LEGAL REFERENCE MATERIAL ALSO DENYING MY ACCESS TO THE COURTS.

C.) BEING COMPLETELY IGNORANT TO THE NEXIS LEGAL AID RESEARCH PROGRAM WITH NO TYPE OF HELP TO LEARN THE SYSTEM IN FORM OF A TUTOR OR LEGAL AID.

RESEARCH GREATLY HINDERS AND DISCOURAGES MY ABILITY TO DEFEND MYSELF IN THE COURTS, ESPECIALLY IN A TIMELY MANNER

D.) DUE TO THE LIMITED NUMBER OF RESEARCH ABLE COMPUTERS (NUMBER BEING 5) FOR A BLOCK OF OVER 70 PEOPLE IS EXTREMELY DETRIMENTAL



TO ANY DETAINEE TRYING TO RESEARCH AND HELP DEFEND THEMSELVES.

E.) NOT KNOWING OR BEING AIDED WITH THE SYSTEM A DETAINEE SUCH AS THE PLAINTIFF CAN NOT FIND BASIC LEGAL FORMS AND ORDERS.

1.) PLAINTIFF HAS CONSULTED WITH THE BLOCK COUNSELER ABOUT HOW TO OBTAIN CERTAIN LEGAL FORMS AND/OR PROCEDURAL DUE PROCESS TO FILE COMPLAINTS AGAINST THE CLERK OF COURTS HERE IN LACKAWANNA COUNTY.

2.) PLAINTIFF HAS ALSO LACKED THE ABILITY TO FIND THE CODE OF CONDUCT OF THE JUDICIAL BOARD.

3.) PLAINTIFF FEELS ADMINISTRATIVE PRESSURE DUE TO THE INABILITY TO RESEARCH HIS OWN MATERIAL.

4.) TYPES OF PRESSURES WILL BE IN FORMS OF UNANSWERED GRIEVANCES; THE COMPLETE INADEQUACY OF MEDICAL AND PSYCHIATRIC CARE AND THE INTERFERENCE OF MAIL FROM FAMILY.

F.) DEFENDENTS NURSING STAFF, MEDICAL STAFF AND ONE DOCTOR, DR. MALIK, AND THE DELIBERATE INDIFFERENCE



to the plaintiffs SERIOUS MEDICAL NEEDS violates plaintiffs Rights AND Constitutes CRUEL AND UNUSUAL Punishment under the 8<sup>th</sup> Admenendment of the United States.

G.) Plaintiff shows Deliberate Indifference on the basis that the Prison Officials and Medical CARE System know of the SEVERE Psychiatric CARE Plaintiff was in SERIOUS NEED OF CORRECT treatment AND failed to Respond timely to It.

H.) Plaintiff also claims INHUMANE treatment by the total DISREGARD OF ANY PRIVACY in the Restroom.

1.) THERE ARE two toilets, one URINAL AND ONE WORKING shower on the top tier FOR OVER 70 INMATES. The Lack of PRIVACY DOORS on the two toilets is a total DISREGARD to human Decency and should be treated AS CRUEL AND UNUSUAL Punishment Due to the Mental Anguish AND SEVER EMOTIONAL Distress that has BEEN CAUSED by be treated AS NOTHING MORE than A BEAST in the field. Futhermore,



Under 14<sup>th</sup> Amendment, Equal Protection of Laws, EVERY PERSON in the said situation is to be treated equally. Nowhere in this statement does it separate INMATES from Society or Criminal from Correctional Officer. With that being said Plaintiff states that if the Correctional Officers have Private Restrooms facilities that have Actual Urinary style Doors should not the same Right to Privacy be afforded to the Inmate Population.

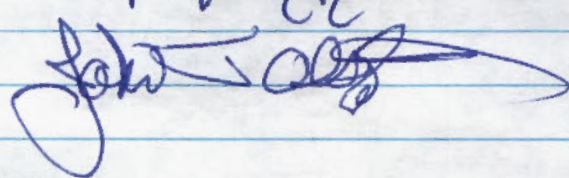
I.) Plaintiff will later claim that he was in the R.H.U. pending Lab Results from 11/15/2019 to 12/06/2019. Wherefor he was Released due to the fact the Lab NEVER sent any Results or answered the Prison officials (see Attachment).

Furthermore Plaintiff will also state at this time during the R.H.U. Investigation they only offered yard on one occasion also in itself Denies him Constitutional Rights to his current Mental Health status.



J.) Plaintiff Resides in Dormitory Style living that was Recently Redone and will claim as far as to go that no Air Quality Control has been in effect. The Amount of Debris and Dust in the Air Vent system is in total Disregard of any Health and Safety Regulations and in no way Hinders the spread of Disease. For it is the Dead cells of humans skin that Accumulates within the Air system.

I, John T. O'Szyk, as Plaintiff in all above said matters will conclude this statement of claims and prays the Court grants all aspects of Relief presented in said Documentation.

Respectfully yours  




I John T Oseuf, as Plaintiff in all above mentioned matters at this time will also ask

The Courts to due to the Totality of the Condition and the Complexity of all Issues Raised

Due to severe limitations of my personal freedoms and lack to movement to investigate and Research the Complex legal Research.

1) In the above mentioned Reason's the Plaintiff at this time asks the Court to appoint legal Counsel to help Consult with him on these issues.

2) Further Reason for appointment of Counsel Plaintiff is Requesting a jury trial

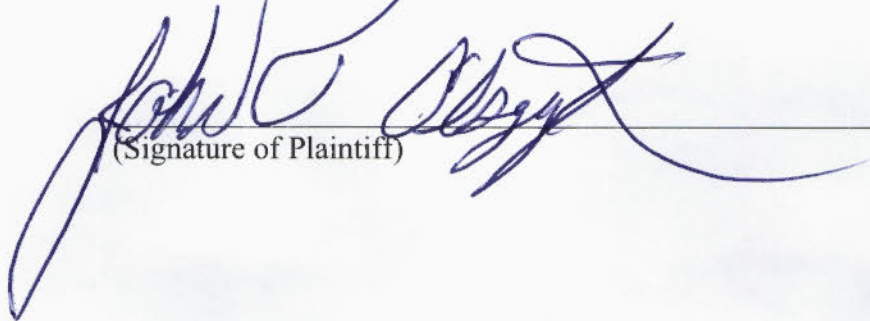
3) Plaintiff is seeking in excess in \$70,000.00 of monetary damages against all defendants in both professional and personal capacities,

Respectfully yours,



I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of December, 20 19.

  
(Signature of Plaintiff)





CONTENTS MAILED FROM  
CORRECTIONAL FACILITY

United States  
District Court  
Middle District  
235 N. Washington  
Scranton Pa, 18509

Name: John T. Smith  
Lackawanna County Prison  
1371 N Washington Avenue  
Scranton, PA 18509-2840

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JAN 03 2020

PER [Signature] DEPUTY CLERK

(Legal Mail)